

REMARKS

Claims 4-41 and 44-51 are pending in the application. The Examiner has rejected all of the claims. Claims 1-3 and 42-43 were previously cancelled and claims 17, 20, 25 and 46 were previously withdrawn pursuant to a species restriction. Claim 21 has been cancelled and claims 5, 8, 11, 13, 29, 33 and 35 have been amended. Support for the amendments to dependent claims 5, 8, 11 and 33 is found in the original claims, Figures 3, 6, 8 and 10 as filed and in the pages of the Specification that describe these figures. No new matter has been introduced. Support for the amendment to independent claim 13 is found in original dependent claim 21. Support for the amendment to dependent claim 29 is found in the original claim and support for the amendments to independent claim 35 is found in Figures 3, 6, 8 and 10 and in the corresponding pages of the Specification. No new matter has been introduced.

Claims 4-30, 32-41, 44-48 and 50-51 were rejected under 35 U.S.C. § 102(b) as being anticipated by European Patent No. 0 723 214 (“Goossens et al.”). The Examiner asserts that Goossens et al. disclose a controller, buffer reservoir, chemical output, main reservoir, valve DV1, load cell, supply line, valves V5, V6, delivery means, first gas line, gas source, vacuum source, gas valve, first measuring means, first delivery means, first and second pressure regulating means, that “the valves are sealing means,” “the refill means are the buffer and its control,” “the signal generating and detecting means are discussed in paragraph 30,” and “the trend identifying means...[is] the computer and controller.” Office Action, p. 2 ¶ 2. Applicants respectfully traverse the rejection and seek favorable reconsideration in view of the following remarks.

Independent claim 4 claims *inter alia* a liquid chemical delivery system for use with a supply container having a main reservoir capable of receiving chemical from the supply container; a supply line having a valve coupled to the controller, the supply container and the main reservoir; and means for delivering the liquid from the chemical output and refilling the main reservoir with chemical when demanded by the controller based on signals from the load cell. Independent claim 7 is substantially identical to independent claim 4 except that claim 7 claims that the load cell is coupled to the *buffer* reservoir and the controller and operable to weigh the liquid in the *buffer* reservoir. Goossens et al. disclose a “chemical dispenser” having two bulk chemical supply tanks 50 and 52. ¶ 0026. Two scales 54 and 56 “monitor the amount

of chemical...in each tank 50 and 52...and are operable to send...signals to the controller so that the shuttle tank can be removed and replaced with a new shuttle tank.” ¶ 0026. The fixed tank is replenished by opening valves V10, V5 and V6 (manual valves DV1, DV2, DV3 and DV4 remain open during normal operation) which causes “pressurized gas from source 55 to pressurize the tank 52 to...force the chemical...up through the tube 71 into the passage 70 and through the valves V5 and V6 to the line 68.” ¶ 0030. Once sufficient chemical has been added to the fixed tank 50, the controller closes valves V10, V5 and V6. ¶ 0030. Goossens et al. fail to disclose or even suggest a supply container as claimed in independent claims 4 and 7. Indeed, the fixed tank is replenished by the *shuttle* tank which is replaced when it is empty. In addition, Goossens et al. fail to disclose “a main reservoir capable of receiving chemical from the supply container” as claimed in independent claims 4 and 7. Nowhere do Goossens et al. disclose or even suggest that shuttle tank 52, which the Examiner identified as a main reservoir, is capable of receiving chemical from a supply container. Moreover, Goossens et al. fail to disclose “a valve coupled to the controller and to the supply container and to the main reservoir” as claimed in independent claims 4 and 7. Goossens et al. fail to disclose any such valve coupled to a supply container. In addition, the Examiner identified element 51 as a delivery means. Office Action, p. 2 ¶ 2. Element 51 of Goossens et al. is a “chemical liquid level sensor probe[]...for detecting the full level.” ¶ 0024. The level sensor probe does not appear to be “means for delivering the liquid from the chemical output” as claimed in independent claims 4 and 7. The Examiner also asserted that “the refill means are the buffer and its control.” Office Action, p. 2 ¶ 2. As discussed above, the fixed tank 50, which the Examiner identified as the buffer reservoir, is replenished by the shuttle tank 52, which the Examiner identified as the main reservoir. Also as discussed above, the shuttle tank 52 is replaced and not refilled “with chemical when demanded by the controller based upon signals from the load cell” as claimed in claims 4 and 7. Moreover, in contrast to the Examiner’s assertion, the fixed tank 50 (i.e. buffer reservoir according to the Examiner) delivers the chemical to the outlet passages 60, 62, 64 and 66 while the shuttle tank 52 (i.e. main reservoir according to the Examiner) refills the liquid in the fixed tank 50. *See* ¶¶ 0029-0030. Thus, the buffer (i.e. fixed tank 50) and its control is not a “means for...refilling the main reservoir with chemical” as claimed in independent claims 4 and 7. Accordingly, Applicants respectfully submit that independent claims 4 and 7 are not anticipated

by Goossens et al. because Goossens et al. do not disclose each and every element claimed in independent claims 4 and 7.

Claims 5-6 depend from independent claim 4 and claims 8-9 depend from independent claim 7, thus, for at least the reasons set forth above with respect to independent claims 4 and 7, dependent claims 5-6 and 8-9 are not anticipated by Goossens et al. Thus, Applicants respectfully request withdrawal of the rejections to claims 5-6 and 8-9.

In addition, Goossens et al. fail to disclose each and every element claimed in dependent claims 5-6 and 8-9. Amended dependent claims 5 and 8 claim that “the controller is adapted to send a signal to the gas valve to permit gas to flow from the gas source to the main reservoir when liquid is delivered from the chemical output and to send a signal to the gas valve to generate a vacuum in the main reservoir when the main reservoir is refilled from the supply container.” Goossens et al. disclose “a valving sequence for transferring chemical from the tank 50 to one or more of the outlet passages 60, 62, 64 or 66.” ¶ 0027. The valving sequence includes opening one or more of valves V1, V2, V3 or V4 and also opening valves V5 and V9 (valves DV1 – DV4 remain open during normal operation). ¶ 0027. “Opening valve V9 allows the pressurizing gas from source 55 to enter the tank 50, *pressurizing the latter* sufficiently to force the chemical C up through the tank 50 into line 68 and out through the opened outlet passages.” ¶ 0029 (emphasis added). In addition, Goossens et al. disclose that “[a] second source of pressurized gas 57 is included in the system for use in applying a vacuum to the *manifold assembly*.” ¶ 0028 (emphasis added). The Examiner has identified tank 50 as a buffer reservoir. Goossens et al. disclose that the vacuum is applied to the manifold assembly any not “in the main reservoir when the main reservoir is refilled from the supply container” as claimed in amended dependent claims 5 and 8. Moreover, Goossens et al. disclose that when chemical is being delivered to the bubbler, the fixed tank 50 (i.e. buffer reservoir) is pressurized. Goossens et al. fail to disclose or even suggest that “the controller is adapted to send a signal to the gas valve to permit gas to flow from the gas source to the *main reservoir* when liquid is delivered from the chemical output” as claimed in dependent claims 5 and 8. (emphasis added). Accordingly, for these further reasons, dependent claims 5 and 8 are not anticipated by Goossens et al.

Dependent claims 6 and 9 claim that “the controller *closes* the reservoir valve when the main reservoir is refilled and liquid is delivered from the buffer reservoir such that the buffer

reservoir under goes no negative pressure from *the vacuum in the main reservoir.*” (emphasis added). As discussed above, Goossens et al. disclose *opening* valves V10, V5 and V6 in order to effect transfer of chemical from tank 52 to tank 50. ¶ 0030. Thus, Goossens et al. teach the exact opposite of closing the reservoir valve when the main reservoir is refilled as claimed in dependent claims 6 and 9. In addition, Goossens et al. fail to disclose that the shuttle tank 52 (i.e. the main reservoir according to the Examiner) is ever refilled, but rather disclose that the shuttle tank is replaced. Moreover, Goossens et al. disclose “applying a vacuum to the *manifold assembly*” (¶ 0029)(emphasis added) and not a “vacuum in the main reservoir” as claimed in dependent claims 6 and 9. Accordingly, for these further reasons dependent claims 6 and 9 are not anticipated by Goossens et al.

Independent claim 10 claims *inter alia* a liquid chemical delivery system for use with a supply container having a main reservoir capable of receiving chemical from the supply container, a supply line having a valve coupled to the controller, the supply container and the main reservoir, and a means for delivering the liquid from the chemical output and refilling the main reservoir with chemical when demanded by the controller based on signals from the first and second load cells. As discussed above with respect to independent claims 4 and 7, Goossens et al. fail to disclose or even suggest a supply container as claimed in independent claim 10. In addition, Goossens et al. fail to disclose “a main reservoir capable of receiving chemical from the supply container when demanded by the controller based on signals from the first and second load cell” as claimed in independent claim 10. Nowhere do Goossens et al. disclose or even suggest that shuttle tank 52, which the Examiner identified as a main reservoir, is capable of receiving chemical from a supply container when demanded by the controller based on signals from the first and second load cell. Moreover, Goossens et al. fail to disclose “a valve coupled to the controller and to the supply container and to the main reservoir” as claimed in independent claim 10. Goossens et al. fail to disclose any such valve coupled to a supply container. In addition, also as discussed above with respect to independent claims 4 and 7, in contrast to the Examiner’s assertion, the fixed tank 50 (i.e. buffer reservoir according to the Examiner) delivers the chemical to the outlet passages 60, 62, 64 and 66 while the shuttle tank 52 (i.e. main reservoir according to the Examiner) refills the liquid in the fixed tank 50. See ¶¶ 0029-0030. Thus, the buffer (i.e. fixed tank 50) and its control (Office Action, p. 2 ¶ 2) is not a “means for...refilling the main reservoir with chemical” as claimed in independent claim 10. Accordingly, Applicants

respectfully submit that independent claim 10 is not anticipated by Goossens et al. because Goossens et al. do not disclose each and every element claimed in independent claim 10.

Amended claim 11 and claim 12 depend from independent claim 10 and thus for at least the reasons set forth above, are not anticipated by Goossens et al. In addition, amended claim 11 and claim 12 are also not anticipated by Goossens et al. for at least the reasons discussed above with respect to claims 5 and 8 and 6 and 9, respectively. Thus, Applicants respectfully request withdrawal of the rejections to claims 11-12.

Amended independent claim 13 claims a liquid chemical delivery system having an upstream portion with a main reservoir for containing the chemical, a first measuring means for measuring the amount of chemical and a main reservoir refill means for refilling the main reservoir; a downstream portion having a buffer reservoir with an optional second measuring means located intermediate the main reservoir and a delivery site and for receiving the liquid chemical from the main reservoir and delivering the liquid chemical to the delivery site wherein the downstream portion is adapted to deliver liquid chemical to the delivery site while the main reservoir refill means refills the main reservoir; and a control means for controlling the flow of the chemical from the main reservoir to the delivery site. As discussed above with respect to independent claims 4 and 7, Goossens et al. disclose a chemical dispenser that operates in either a fixed/shuttle or shuttle/shuttle mode. The Examiner has identified tank 50 as a buffer reservoir and tank 52 as a main reservoir. To the extent that tank 52 begins to dispense the chemical to the outlet passages 60-66 and tank 50 is used to transfer chemical to tank 52, then the opposite would be true: tank 52 would be a buffer reservoir and tank 50 would be a main reservoir. Goossens et al. disclose that the fixed tank 50 is replenished by opening valves V10, V5 and V6 (manual valves DV1, DV2, DV3 and DV4 remain open during normal operation) which causes “pressurized gas from source 55 to pressurize the tank 52 to...force the chemical...up through the tube 71 into the passage 70 and through the valves V5 and V6 to the line 68.” ¶ 0030. Once sufficient chemical has been added to the fixed tank 50, the controller closes valves V10, V5 and V6. ¶ 0030. Indeed, the fixed tank 50 is replenished by the shuttle tank 52 and the shuttle tank is not refilled, but replaced when it is empty. Goossens et al. fail to disclose “main reservoir refill means for refilling the main reservoir.” In addition, Goossens et al. fail to disclose that “the downstream...portion is adapted to deliver liquid chemical to the delivery site *while* the main reservoir refill means refills the main reservoir” as claimed in amended independent claim 13.

(emphasis added). Claim 13 further claims “an *upstream* delivery system portion comprising a main reservoir” and “a *downstream* delivery portion comprising a buffer reservoir...and for receiving the liquid chemical from the main reservoir and delivering the liquid chemical to the delivery site.” (emphasis added). The Examiner suggests that the refill means is the buffer and its control. Office Action, p. 2 ¶ 2. Assuming *arguendo*, even if fixed tank 50 were identified as a main reservoir refill means as suggested by the Examiner, the fixed tank 50 would then be *upstream* from the shuttle tank 52 while refilling the shuttle tank 52 and not in a *downstream* delivery portion as claimed in independent claim 13. Similarly, the shuttle tank 52 would then be *downstream* from the fixed tank 50 and not in “an *upstream* delivery system portion” as claimed in claim 13. Goossens et al. disclose no mode or configuration where one tank simultaneously delivers chemical to the outlet passages and transfers chemical to the other tank. Accordingly, Applicants respectfully submit that Goossens et al. fail to disclose each and every element of amended independent claim 13 and thus, claim 13 is not anticipated by Goossens et al.

Dependent claims 14-20 and 22-29 depend from independent claim 13 and are thus, not anticipated by Goossens et al. for at least the reasons set forth above with respect to independent claim 13. Accordingly, Applicants respectfully request withdrawal of the rejections to dependent claims 14-20 and 22-29. In addition, Goossens et al. disclose that the shuttle tank 52 periodically transfers chemical to the fixed tank 50 when the chemical level in the fixed tank reaches a low level. *See* ¶ 0005; ¶¶ 0027-0030. Thus, Goossens et al. fail to disclose that “the flow of the liquid chemical from the main reservoir to the delivery site is continuous” as claimed in dependent claim 15. Moreover, the bubbler of Goossens et al. includes an ampule 4 having a fixed volume where the outlet is designed to be a humidified gas outlet. ¶ 0020. Accordingly, Goossens et al. fail to disclose that “the target is adapted to receive a constant flow of the liquid chemical” as claimed in dependent claim 18. In addition, Goossens et al. fail to disclose or even suggest “control means adapted to initiate refill of the main reservoir when the liquid chemical in the main reservoir reaches the predetermined amount by sending a signal to the main reservoir refill means” as claimed in amended dependent claim 29. As discussed above with respect to amended independent claim 13, Goossens et al. fail to disclose a main reservoir refill means much less a control means adapted to initiate refill of the main reservoir by sending a signal to the main reservoir refill means as claimed. Accordingly, Goossens et al. fail to disclose each and

every element claimed in dependent claims 15, 18 and 29 and thus for these further reasons claims 15, 18 and 29 are not anticipated by Goossens et al.

Independent claim 30 claims *inter alia* a liquid chemical delivery system having a logic device coupled to the load cell(s) providing output signals to actuate a means for sealing and unsealing the buffer reservoir from the main reservoir wherein sealing corresponds to refilling the main reservoir and unsealing corresponds to not refilling the main reservoir; and a gas source supplying the main reservoir to blanket the liquid chemical therein. As discussed above with respect to dependent claims 6 and 9, Goossens et al. disclose *opening* valves V10, V5 and V6 in order to effect transfer of chemical from tank 52 to tank 50. ¶ 0030. Thus, Goossens et al. teach the exact opposite of “a means for sealing and unsealing the buffer reservoir from the main reservoir wherein *sealing* corresponds to *refilling* the main reservoir and *unsealing* corresponds to *not refilling* the main reservoir” as claimed in independent claim 30. Accordingly, Goossens et al. fail to disclose each and every element claimed in independent claim 30 and thus claim 30 is not anticipated by Goossens et al.

Independent claim 32 claims *inter alia* a liquid chemical delivery system for use with a supply container having a multi-reservoir load cell assembly including a supply line having a valve coupled to the supply container and the main reservoir; and a means for delivering the liquid from the chemical output and refilling the main reservoir from the supply container when demanded by a controller based on signals from the load cell. As discussed above with respect to independent claims 4 and 7, Goossens et al. fail to disclose or even suggest a supply container as claimed in independent claim 32. In addition, Goossens et al. fail to disclose “a valve coupled to the controller and to the supply container and to the main reservoir” as claimed in independent claim 32. Goossens et al. fail to disclose any such valve coupled to a supply container. Moreover, also as discussed above with respect to independent claims 4 and 7, in contrast to the Examiner’s assertion, the fixed tank 50 (i.e. buffer reservoir) delivers the chemical to the outlet passages 60, 62, 64 and 66 while the shuttle tank 52 (i.e. main reservoir) refills the liquid in the fixed tank 50. See ¶¶ 0029-0030. Thus, the buffer (i.e. fixed tank 50) and its control (Office Action, p. 2 ¶ 2) is not a “means for...refilling the main reservoir with chemical” as claimed in independent claim 32. Moreover, Goossens et al. fail to disclose “means for...refilling the main reservoir *from the supply container*” (emphasis added) as claimed in independent claim 32. Accordingly, Applicants respectfully submit that independent claim 32 is not anticipated by

Goossens et al. because Goossens et al. do not disclose each and every element claimed in independent claim 32.

Dependent claims 33-34 depend from independent claim 32, thus for at least the reasons set forth above with respect to independent claim 32, dependent claims 33-34 are not anticipated by Goossens et al. In addition, dependent claim 33 is not anticipated by Goossens et al. for at least the reasons set forth above with respect to dependent claims 5 and 8. Moreover, dependent claim 34 is not anticipated by Goossens et al. for at least the reasons set forth above with respect to dependent claims 6 and 9 and independent claim 30. Accordingly, Applicants respectfully request withdrawal of the rejections to dependent claims 33-34.

Amended independent claim 35 claims *inter alia* a chemical delivery system having means, responsive to the output signal, for evacuating the main reservoir and adjusting pressure in the buffer reservoir and for calculating the amount of chemical in the assembly. Applicants respectfully submit that Goossens et al. disclose “[a] second source of pressurized gas...for use in applying a vacuum to the *manifold assembly* 58.” ¶ 0028. Goossens et al. fail to disclose or even suggest “means...for evacuating the main reservoir” as claimed in amended independent claim 35. Accordingly, Goossens et al. fail to disclose each and every element claimed in independent claim 35 and thus, claim 35 is not anticipated by Goossens et al.

Dependent claims 36-40 depend from independent claim 35, thus, for at least the reasons set forth above with respect to independent claim 35, dependent claims 36-40 are not anticipated by Goossens et al. Accordingly, Applicants respectfully request withdrawal of the rejections to claims 35-40.

Independent claim 41 claims a method for refilling a multi-reservoir load cell assembly including a) isolating the main reservoir from fluid communication with the buffer reservoir; b) reducing the gas pressure in the main reservoir to draw the chemical into the main reservoir until the chemical rises to a predetermined amount; c) increasing the gas pressure in the main reservoir; and d) opening fluid communication between the main reservoir and the buffer reservoir to allow the chemical in the main reservoir to flow into the buffer reservoir. Applicants respectfully submit that Goossens et al. disclose “[a] second source of pressurized gas...for use in applying a vacuum to the *manifold assembly* 58” (¶ 0028) and fail to disclose or even suggest “reducing gas pressure in the main reservoir to draw the chemical into the main reservoir” as

claimed in independent claim 41. Accordingly, independent claim 41 is not anticipated by Goossens et al.

Independent claim 44 claims a method for refilling a multi-reservoir load cell assembly including closing the valve connecting the main reservoir outlet and the buffer reservoir inlet to isolate the main reservoir from fluid communication with the buffer reservoir; opening the valve connecting the main reservoir gas inlet and the buffer reservoir gas inlet to evacuate the main reservoir to draw liquid chemical into the main reservoir until the liquid chemical rises to a predetermined level; and opening the valve connecting the main reservoir outlet and buffer reservoir inlet to allow the liquid chemical in the main reservoir to flow into the buffer reservoir. As discussed above with respect to independent claim 41, Goossens et al. disclose “[a] second source of pressurized gas...for use in applying a vacuum to the *manifold assembly 58*” ¶ 0028. Goossens et al. fail to disclose or even suggest “opening the valve connecting the main reservoir gas inlet and the buffer reservoir gas inlet to evacuate the main reservoir to draw liquid chemical into the main reservoir” as claimed in independent claim 44. Accordingly, independent claim 44 is not anticipated by Goossens et al.

Independent claim 45 claims *inter alia* a liquid chemical delivery system for use with a chemical supply source having a logic device coupled to the load cell providing output signals to actuate a vacuum generator for evacuating the main reservoir to draw liquid chemical from the chemical supply source into the main reservoir. As discussed above with respect to independent claim 41, Goossens et al. disclose “[a] second source of pressurized gas...for use in applying a vacuum to the *manifold assembly 58*” ¶ 0028. Goossens et al. fail to disclose or even suggest “a vacuum generator for evacuating the main reservoir” as claimed in independent claim 45. Moreover, Goossens et al. discloses that the shuttle tank 52 is *exchanged* when it reaches a low level and not “a vacuum generator...to draw liquid chemical from the chemical supply source into the main reservoir” as claimed in independent claim 45. Accordingly, independent claim 45 is not anticipated by Goossens et al.

Dependent claims 46-48 and 50 depend from independent claim 45 and thus claim 46-48 and 50 are not anticipated by Goossens et al. for at least the reasons set forth above with respect to independent claim 45. Accordingly, Applicants respectfully request withdrawal of the rejections to claims 45-48 and 50.

Independent claim 51 claims a system for *combining* a first and second liquid chemical and *delivering the combination* including a multi-reservoir load cell assembly having a main reservoir with a load cell; a buffer reservoir; a means for sealing and unsealing the buffer reservoir from the main reservoir; means for supplying a first liquid chemical to the main reservoir until the multi-reservoir load cell assembly determines the main reservoir has a sufficient amount of the first liquid chemical; a means for supplying a second liquid chemical to the main reservoir until the multi-reservoir load cell assembly determines the main reservoir has a sufficient amount of the second liquid chemical wherein the system is adapted to transport the combination of the first liquid chemical and the second liquid chemical from the main reservoir to the buffer reservoir. As discussed above, Goossens et al. disclose *exchanging* the shuttle tank 52 when the liquid reaches a low level. Goossens et al. fail to disclose or even suggest “means for supplying a first liquid chemical to the main reservoir” as claimed in independent claim 51. Moreover, Goossens et al. certainly fail to disclose or even suggest “means for supplying a *second* liquid chemical to the main reservoir” (emphasis added) as claimed in independent claim 51. In addition, Goossens et al. fail to disclose or suggest a “combination” much less delivering or transporting a combination as claimed in independent claim 51. Accordingly, claim 51 is not anticipated by Goossens et al. and Applicants respectfully request withdrawal of the rejection to claim 51.

The Examiner rejected independent claim 31 and dependent claim 49 under 35 U.S.C. § 103(a) as being obvious over Goossens et al. The Examiner conceded that Goossens et al. fail to teach “the multiple chemical receiving means and the flexible connecting means.” Office Action, p. 3 ¶ 5. The Examiner asserted that “[i]t would have been obvious to provide multiple chemical receivers in order to be able to dispense mixtures of various substances,” and that “making the connectors flexible is an obvious way to be able to place the components in the multiple positions.” Office Action, p. 3 ¶ 5.

Independent claim 31 claims a liquid chemical delivery system having a multi-reservoir load cell assembly including a main reservoir with a load cell; a buffer reservoir; means for sealing and unsealing the buffer reservoir from the main reservoir; means for receiving a first liquid chemical in the main reservoir until the multi-reservoir load cell assembly determines the main reservoir has a sufficient amount of the first liquid chemical; means for receiving a second liquid chemical in the main reservoir until the multi-reservoir load cell assembly determines the

main reservoir has a sufficient amount of the second liquid chemical wherein the system is adapted to transport the first liquid chemical and the second liquid chemical from the main reservoir to the buffer reservoir. As discussed above with respect to independent claim 51, Goossens et al. teach *exchanging* the shuttle tank and fail to teach or even suggest “means for receiving a first liquid chemical in the main reservoir” as claimed in independent claim 31. In addition, Goossens et al. also fails to teach or suggest “means for receiving a *second* liquid chemical in the main reservoir” (emphasis added) as claimed in independent claim 31. Moreover, Goossens et al. simply fails to teach that “the system is adapted to transport the first liquid chemical *and* the second liquid chemical” as claimed in claim 31. (emphasis added). The Examiner asserted that it would have been obvious to provide multiple chemical receivers to dispense mixtures of various substances, however, Goossens et al. fail to teach that the shuttle tank even receives a first liquid chemical much less multiple chemicals. Accordingly, Goossens et al. fail to achieve the invention as claimed and thus, independent claim 31 is not rendered obvious by Goossens et al. Applicants respectfully request withdrawal of the rejection of independent claim 31.

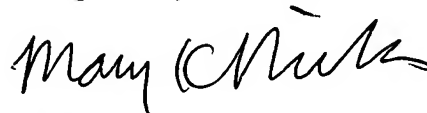
Dependent claim 49 depends indirectly from independent claim 45. As discussed above with respect to independent claim 45, Goossens et al. fail to teach “a vacuum generator for evacuating the main reservoir to draw liquid chemical from the chemical supply source into the main reservoir.” Accordingly, for the same reason, Goossens et al. fail to achieve the invention as claimed in dependent claim 49. In addition, there is no suggestion or motivation in Goossens et al. to “suspend” the fixed tank 50 from the shuttle tank 52; indeed, Goossens et al. teach that the fixed tank 50 is immovable unless the system is in a shuttle/shuttle configuration. However, if the system is in a shuttle/shuttle configuration and one tank is suspended from the other, this obviates the benefit of having two tanks that are separately replaceable without disrupting the delivery of chemical to the bubbler. Goossens et al. teach only that each tank rests on a scale but fail to teach or even suggest suspending one tank from the other. Indeed, Goossens et al. teach away from suspending one tank from the other, because this would make replacing the tanks difficult, if not, impossible. Accordingly, for these further reasons, dependent claim 49 is not rendered obvious by Goossens et al.

In view of the foregoing remarks, Applicants respectfully submit that claims 4-41 and 44-51 are neither anticipated nor rendered obvious in view of Goossens et al. and that the claims are

in condition for allowance. Accordingly, Applicants respectfully request withdrawal of the rejections to the claims and that the application be promptly passed to issue.

BOC Edwards, Inc.
55 Madison Avenue, Suite 400
Morristown, NJ 07960
Phone: 973-285-3309
Fax: 973-285-3320

Respectfully Submitted,



Mary K. Nicholes
Registration No. 56,238
Agent for Applicant(s)
Date: August 10, 2007

CUSTOMER NO.: 71134